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March 16, 2022

VIA ECF

Honorable Pamela K. Chen, United States District Judge
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *United States v. McMahon, et al.*
Docket No. 21-cr-265

Dear Judge Chen:

As Your Honor is aware, this Firm represents Defendant Michael McMahon in the above-captioned matter. As we indicated during the March 9, 2022 status conference, Mr. McMahon has reached an agreement with the Government regarding his ability to review voluminous discovery designated as “Sensitive Discovery Material” pursuant to the Protective Order in this case, *see* ECF No. 70, outside the presence of counsel. Specifically, the Government has consented to modifying the terms of the Protective Order as follows: Mr. McMahon and his wife, Martha Byrne, will be permitted to access and review agreed upon voluminous discovery materials outside the presence of counsel, so long as the materials are sent via the DropBox “Advanced Plan” platform. Each user will have their own login credentials to access the platform, and an audit log file with file event tracking will be created and maintained. Additionally, Mr. McMahon and his wife’s ability to download and/or print will be restricted prior to any discovery materials being shared on the platform. Mr. McMahon and his wife will continue to adhere to all other terms of the Protective Order.

If this is acceptable to the Court, as it is to the Government, we respectfully request, on Mr. McMahon’s behalf, that Your Honor “So-Order” this letter in the space provided below and direct its entry on the docket.

Of course, if Your Honor has any questions or concerns, please do not hesitate to contact me. Thank you very much for your very kind consideration of this matter.

GIBBONS P.C.

Hon. Pamela K. Chen, U.S.D.J.
March 16, 2022
Page 2

Respectfully submitted,

s/ Lawrence Lustberg

Lawrence S. Lustberg

SO ORDERED:

This ____ day of March, 2022

Honorable Pamela K. Chen
United States District Judge

cc: All counsel of record (via ECF)